

CRIMINAL DOCKET - U.S. District Court

U.S.

(LAST, FIRST, MIDDLE)

PO	<input type="checkbox"/> 0975	1	Assigned 7509
Misd.	<input type="checkbox"/>		Disp./Sentence 7509
Felony	<input checked="" type="checkbox"/>	District	Off Judge/Magistr.

☐ WRIT

VS.

☐ JUVENILE☐ ALIAS

OFFENSE ON INDEX CARD

KIM, YOUNG HO

Case Filed	Mo	Day	Yr	Docket No.	Def.
	02	12	92	92 00220 HMF	02
No. of	3				
Def's	U.S. MAG. CASE NO.				

I. CHARGES

U.S. TITLE/SECTION

OFFENSES CHARGED

ORIGINAL COUNTS

DISM. N.G.

18:371

Conspiracy to structure transactions w/ a domestic financial institution, evading reporting requirements & caused a domestic fin instit to file a report that contained a material omission & misstatement of fact (03/87) CT1

31:5324(3)

Structuring/Evading Reporting Requirement (02/87) CT 2

31:5324(2)

Caused domestic fin instit to file report containing material omission & misstatement of fact (03/87) CT 3

31:5324(2)

Attempt to cause domestic fin instit to file a report containing material omission & misstatement (03/87) CT 4

SUPERSEDING COUNTS

II. KEY DATE

INTERVAL ONE

END ONE AND/OR BEGIN TWO (OR RESTART PERIOD TO TRIAL)

END INTERVAL TWO

KEY DATE

☐ arrest
☐ summons
☐ custody
☐ appears on complaint

KEY DATE

02-12-92

APPLICABLE

☒ indictment filed/unsealed
☐ consent to Magr. trial on complaint
☐ Information
☐ Felony-W/waiver

KEY DATE

03-10-92

APPLICABLE

a) ☒ 1st appears on pending charge /R40
b) ☐ Receive file R20/21
c) ☐ Supsdg: ☐ Ind ☐ Inf
d) ☐ Order New trial
e) ☐ Remand f) ☐ G/P Withdrawn

KEY DATE

08-25-92

APPLICABLE

☐ Dismissal
☐ Pled guilty ☐ After N.G.
☐ Noia ☐ After noia
☐ Trial (voir dire) begun
☐ Jury ☐ N.J.

03-10-92

03-10-92

RE-TRIAL

2nd Trial Began

09-08-92

01-19-93

PTD
Notle
Pros.

FINAL CHARGES DISMISSED
☐ on S.T. grounds ☐ W.P. ☐ WOP ☐ on def motion on gov't motion

III. MAGISTRATE

INITIAL/NO.

OUTCOME:

Search Warrant
Issued
Return
Summons
Issued
Served
Arrest Warrant issued
COMPLAINT

DATE
INITIAL/NO.

INITIAL APPEARANCE DATE
PRELIMINARY EXAMINATION
OR
REMOVAL
HEARING
WAIVED
NOT WAIVED
INTERVENING INDICTMENT

Date Scheduled
Date Held
Type Number

DISPOSITION DATE
SENTENCE DATE

PTD
Notle
Pros.

FINAL CHARGES DISMISSED
☐ on S.T. grounds ☐ W.P. ☐ WOP ☐ on def motion on gov't motion

☐ DISMISSED
HELD FOR GJ OR OTHER PROCEEDING IN THIS DISTRICT
☐ HELD FOR GJ OR OTHER PROCEEDING IN DISTRICT BELOW

Date of Arrest

OFFENSE (In Complaint)

Show last names and suffix numbers of other defendants on same indictment/information:

(01) Chee, (02) Y. Kim, (03) J. Kim

RULE ☐ 20 ☐ 21 ☐ 40 ☐ In ☐ Out

ATTORNEYS

U. S. Attorney or Asst.

DANIEL A. BENT

by Florence T. Nakakuni, Asst. U.S. Atty.

Defense: 1 ☐ CJA. 2 ☒ Ret. 3 ☐ Waived. 4 ☐ Self. 5 ☐ Non / Other. 6 ☐ PD. 7 ☐ CD

JERRY A. RUTHRUFF
900 Fort St. Mall Suite 1855
Honolulu, Hawaii 96813
ph: 524-4975

IV. NAMES & ADDRESSES OF ATTORNEYS, SURETIES, ETC.

BAIL & RELEASE

PRE-INDICTMENT

Release Date
Bail ☐ Denied ☐ Fugitive
☐ Pers. Rec.
AMOUNT SET ☐ PSA
Conditions
Date Set ☐ 10% Dep.
☐ Surety Bond
☐ Bail Not Made ☐ Collateral
Date Bond Made ☐ 3rd Ptry
☐ Other

POST-INDICTMENT

Release Date
Bail ☐ Denied ☐ Fugitive
☐ Pers. Rec.
AMOUNT SET ☐ PSA
Conditions
Date Set ☐ 10% Dep.
☐ Surety Bond
☐ Bail Not Made ☐ Collateral
Date Bond Made ☐ 3rd Ptry
☐ Other

FEB 5 1993

FINE AND RESTITUTION PAYMENTS

Docket Entries Begin On Reverse Side

DATE	RECEIPT NUMBER	C.D. NUMBER	DATE	RECEIPT NUMBER	C.D. NUMBER

APPEALS FEE PAYMENTS

DATE		Yr	Docket No.	Def.	MASTER DOCKET - MULTIPLE DEFENDANT CASE	PAGE	OF	VI EXCLUDABLE DELAY		
DOCUMENT NO.					PROCEEDINGS DOCKET FOR SINGLE DEFENDANT			Start Date	End Date	Total Days
1992		92	92 00220	HMF	02	1	1			
(OPTIONAL) Show last names of defendants										
V. PROCEEDINGS										
Feb 12	1	<u>EP:</u> INDICTMENT - PS ordered (Judith Powers) <u>CONKLIN</u> PS issued; retn 02-24-92 at 10:00 a.m. (T)								
19	3	Notice - A&P contd. from 02-24-92 to 03-02-92 @ 10:00 a.m. cc: all counsel								
25	4	Return on PS executed by USM via Certified Mail on 02-18-92								
Mar 10	5	<u>EP:</u> A&P - Defendants present. Defendants waive reading of Indictment and enter pleas of Not Guilty. Jury Trial: 05-12-92 at 9:00 Fong. Final Pretrial: 04-24-92 at 11:00 Kurren. Defts. mos. due: 03-31-92. Govt. response: 04-14-92. Bail: As to Defendant Chee: \$25,000.00 signature; usual conditions: Not to leave the Island of Oahu; inform the Court of any change in address/phone no. within 24 hours. As to Defendants Kim (Both) \$50,000.00 signature; 10% cash; usual conditions: Not to leave the Island Oahu; inform the Court of any change in address/phone no. within 24 hours. (48 hours to post bail) Custionary advise given. Nakakuni, D. Ching, Ruthruff, & Yuen present. (ESR) <u>KURREN</u>								
	6	ORDER Setting Conditions of Bail - \$50,000.00/\$5,000.00 CASH Travel: Island of Oahu. Advise the court of any chang in address or phone w/in 24 hours. <u>KURREN</u>								
	7	Appearance Bond 2121 Ala Wai Ph2 Honolulu, HI 96815 Ph. 922-7587 <u>KURREN</u>								
	8	Affidavit by Owner of Cash Bail - \$5,000.00 Young Ho Kim 2121 Ala wai Blvd., PH #2 Honolulu, HI 96815 Ph. 922-7587								
24	9	Defendants Jeong Suk Kim and Young Ho Kim's Request for Discovery; Certificate of Service								
	10	Government's Discovery Statement; Certificate of Service								
Apr 1	11	Government's Request for Discovery; Certificate of Service								
2	12	Government's Response to Defendants Young Ho Kim (02) and Jeong Suk Kim's (03) Request for Discovery; Certificate of Service								
29	13	Certificate of Service Re: Government's Jury Instructions								
30	14	<u>EP:</u> Final Pretrial Conference - Defendants' presence waived. A M/Continue trial was requested by Ms. Yuen. Court could not rule on this motion and advised Ms. Yuen to file with Judge Fong. (30) days ruling). Final Pretrial conference held. Trial to take 2 days. Interpreter needed for defendant Young Ho Kim. Jury instructions, voir dire already submitted. Government to prepare Final Pretrial Conference Order. Nakakuni, D. Ching, Ruthruff & Yuen present. (ESR) <u>KURREN</u>								

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DATE		PROCEEDINGS (continued)		V. EXCLUDABLE DELAY			
		(Document No.)		(a)	(b)	(c)	(d)
<u>1992</u>							
May 11	15	First Stipulation to Continue Trial Date to July 14, 1992 and Excluding Time Under the Speedy Trial Act; ORDER - Trial contd. from 05-12-92 to 07-14-92 before Judge Fong. Time from 05-12-92 to 07-14-92 is excludable under the Speedy Trial Act - 18:3161(h)(8)(A) & (h)(8)(B)(iv). <u>FONG</u>			05-12-92 07-13-92	T	33
	14	16 Government's Motion for Reconsideration of Court's Order Regarding: (A) Material Requested by Defendants Pursuant to Brady; (B) Release of Jencks Act Material One Week Prior to Trial; Certificate of Service					
Jul 7	17	Second Stipulation to Continue Trial Date to August 25, 1992, and Excluding Time Under the Speedy Trial Act - Trial contd. from 07-14-92 to 08-25-92. Time from 07-14-92 to and including 08-22-92 is excluded under the Speedy Trial Act - 18:3161(h)(8)(A) and (h)(8)(B)(iv). <u>FONG</u>			07-14-92 08-22-92	T	40
	22	18 Amendment to Second Stipulation to Continue Trial Date to August 25, 1992 and Excluding Time Under the Speedy Trial Act Filed July 7, 1992. Speedy Trial exclusion from 08-22-92 to 08-25-92. <u>FONG</u>			08-23-92 08-24-92	T	2
Aug 18	19	Third Stipulation To Continue Trial To November 3, 1992, Setting Final Pre-Trial Conference And Excluding Time Under The Speedy Trial Act DENIED <u>FONG</u>					
	20	Ex Parte Motion For Order Shortening Time; Declaration of Florence T. Nakakuni re: M/Disqualify Counsel					
	21	ORDER GRANTING Motion To Shorten Time re: M/Disqualify Counsel set for 08/19/92 at 9:00 a.m. (HMF) <u>FONG</u>					
	21a	Motion to Disqualify Counsel; Declaration of Florence T. Nakakuni; Exhibit 1; Certificate of Service					
19	22	<u>EP:</u> Government's Motion to Disqualify Counsel - Arguments held. Motion to Disqualify counsel - denied. Oral Motions to Continue Trial - denied. Discussion held regarding production of Brady, Jencks and other materials. Ordered that all notes made during the interview of Kendrick M.H. Chee be submitted to the Court for an in camera inspection. Ordered that the government provided the defense with all reports, memoranda, notes, etc., that are not protected by law. Florence T. Nakakuni, Jerry A. Ruthruff (02), Renee M.L. Yuen (03) Richard K. Perkins (03) present. (SP) <u>FONG</u>					
	23	Witness List					
21	24	Government's Proposed Voir Dire Questions; Certificate of Service - see next page -					

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DATE		PROCEEDINGS (continued)	V. EXCLUDABLE DELAY			
		(Document No.)	(a)	(b)	(c)	(d)
<u>1992</u>						
Aug 21	25	Government's Trial Memorandum; Certificate of Service				
	24	26 Government's Proposed Jury Instructions; Certificate of Service				
	27	Defendant Young Ho Kim's Motion in Limine Re: Oral Statement of Defendant Young Ho Kim to Special Agents Lee and/or Southerland; Memorandum in Support of Motion; Certificate of Service				
	28	Defendant Young Ho Kim's Motion in Limine Re: Statements Allegedly Made By Defendant Jeong Suk Kim to Government Agents, and for Severance of Trial; Memorandum in Support of Motion; Affidavit of Jerry A. Ruthruff; Certificate of Service				
	29	Defendant Young Ho Kim's Motion in Limine Re: Oral Statement of Defendant Young Ho Kim to Special Agents Teraoka and Tsubota on July 5, 1988; Memorandum in Support of Motion; Certificate of Service				
	30	Defendant Young Ho Kim's Requested Voir Dire Questions; Certificate of Service				
24	31	Defendant Young Ho Kim's Motion in Limine Re: Currency Transaction Report Dated February 17, 1987 and Other Documents Which The Government Failed to Produce as Required by the Discovery Rules; Memorandum in Support of Motion; Certificate of Service				
25	32	Government's Opposition to Defendant Young Ho Kim's Motion in Limine Re: Statements Allegedly Made By Defendant Jeong Suk Kim to Government Agents and for Severance of Trial; Certificate of Service				
	33	Government's Filing Re: All Prior Discovery; Certificate of Service				
	34	<u>EP:</u> JURY SELECTION/TRIAL - (1st Day) - Taekyong Kim sworn as an interpreter in the Korean language on behalf of the defendants. 51 jurors present. 12 jurors and 2 alternates selected, sworn and preliminarily instructed. Government's Motion to Strike Surplussage from the Indictment-granted as follows: 1. Paragraph 2(b); 2. Paragraph 5; 3. Paragraph 6(j); 4. Paragraph 6(j). Defendant Young Ho Kim's M/Limine: 1. Re: Oral Statement of Defendant Young Ho Kim to Special Agents Clint Tsubota and John Teraoka - granted in part. Government is precluded from using this evidence in its case in chief. 2. Re: Oral Statement of Defendant Young Ho Kim to Special Agents Lee and/or Southerland - denied. 3. Re: Currency Transaction Report dated February 17, 1987 and other documents which the government failed to produce as required by the discovery rules - denied. 4. Re: Statements allegedly made by defendant Jeong Suk Kim to Government agents and for severance of trial - denied. Opening statements made. Further trial continued to August 26, 1992 @ 9:00 a.m. Nakakuni, Ruthruff, Yuen & (per Section II)				
			Start Date	End Date	Ltr. Code	Total Days

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DATE		PROCEEDINGS (continued)	V. EXCLUDABLE DELAY			
		(Document No.)	(a)	(b)	(c)	(d)
1992						
Aug 25	35	Defendant Jeong Suk Kim's Proposed Jury Instruction				
	36	ORDER For Dismissal - Counts 3 & 4 of the Indictment - Certificate of Service <u>FONG</u>				
36a		Government's Motion in Limine; Declaration of Florence T. Nakakuni; COS				
26	37	Defendant Young ho Kim's Proposed Jury Instructions -				
	38	<u>EP:</u> FURTHER JURY TRIAL - (2nd Day) - Defendant Young Ho Kim's Oral Motion to Continue Trial to Conduct Further Discovery made in conjunction with the hearing on Motions in Limine on August 25, 1992 - denied. Hearing held without the jury regarding evidentiary matters. Trudy Kim Yoshikawa, CST. Kentrick Chee CST. Exhibits admitted: P-1A thru P-13I; D-17, D-18 & D-19. Further trial continued to August 27, 1992 @ 9:00 a.m. Florence Nakakuni, Jerry Ruthruff; Renee Yuen & Taekyong Kim, Interpreter present. (SP) <u>FONG</u>				
27	39	<u>EP:</u> FURTHER JURY TRIAL - 3rd Day - Kendrick Chee, Chris Godwin, Seung Kyu Lee and John Teraoka CST. Government's exhibit P-14 admitted. Government rested. Defendants #2 & #3's Motion for Judgement of Acquittal - denied. John Teraoka recalled as sitness by defendant #2. Further trial continued to August 28, 1992 @ 10:00 a.m. Florence Nakakuni, Jerry A. Ruthruff, Renee Yuen, Richard Perkins & Taekyong Kim, Interpreter present. (SP) <u>FONG</u>				
28	40	Government's Proposed Jury Instructions to Which the Defense Objects; Certificate of Service				
	41	Government's Objections to Defendants' Proposed Instructions; Certificate of Service				
41a		Defendant Jeong Suk Kim's Proposed Jury Instructions				
	42	<u>EP:</u> FURTHER JURY TRIAL - 3rd Day - Margo Brower CST. Young Ho Kim CST. Exhibits admitted: D-23 D-23. Further trial continued to September 1, 1992 @ 9:00 a.m. Settling of Instructions is set for August 31, 1992 @ 1:30 p.m. Florence Nakakuni, Jerry Ruthruff, Renee Yuen, Richard Perkins, Taekyong Kim (Interpreter) present. (SP) <u>FONG</u>				
	43	The Parties Joint Set of Instructions; Certificate of Service				
31	44	<u>EP:</u> Settling of Jury Instructions - Defendants not present. Instructions settled. Jeong Suk Kim's Motion for Judgment of Acquittal - taken under advisement. Florence Nakakuni, Jerry Ruthruff, Renee Yuen & Richard Perkins present. (SP) <u>FONG</u>				
		- see next page -				

Interval (per Section II) Start Date End Date Ltr. Total Code Days

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DATE		PROCEEDINGS (continued)	V. EXCLUDABLE DELAY			
			(a)	(b)	(c)	(d)
<u>1992</u>		(Document No.)				
Aug 31	45	Government's Memorandum Regarding the Taylor Case; Certificate of Service				
	46	Government's Objections to Young Ho Kim's Supplemental Proposed Jury Instructions; Certificate of Service				
	47	Government's Withdrawal and Substitution of Jury Instructions Certificate of Service				
	48	Defendant Young Ho Kim's Proposed Jury Instructions to Which the Government Objects; Certificate of Service				
	49	Defendant Young Ho Kim's Memorandum in Opposition to Government's Proposed Jury Instructions; Certificate of Service				
	50	Defendant Young Ho Kim's Memorandum in Support of Defendant Young Ho Kim's Proposed Jury Instructions; Certificate of Service				
Sep 1	51	<u>EP:</u> FURTHER JURY TRIAL - 5th Day - Further settling of instructions. Defendant Jeong Suk Kim's Motion for Judgment of Acquittal - denied. Seung-Kyun Ko, Ph.D. sworn as an interpreter in the Korean language. Examination of Young Ho Kim resumed. Juror #9, Rosemary Oda, discharged and substituted by Alternate Juror # 1, Herbert Ito. Reverend D. Samuel Lee sworn as an interpreter in the Korean language. John Stevenson CST. Young Ho Kim recalled. Defendant Young Ho Kim rested. Defendant Jeong Suk Kim rested. Defendant Young Ho Kim's Renewed M/Severance - denied. Kendrick Chee recalled. John Teraoka recalled. Government rested. Further trial continued to September 2, 1992 @ 1:00 p.m. Florence Nakakuni, Jerry Ruthruff, Renee Yuen, Richard Perkins, Seung-Kyun Ko, Ph. D., Interpreter (9:00 - 12:30), Rev. T. Samuel Lee, Interpreter (1:30 - 3:20) present. (SP) <u>PONG</u>				
	52	Government's Motion for Reconsideration of Defendant Young Ho Kim's Instructions; Certificate of Service				
	53	Government's Memorandum Regarding Lopez-Alvarez; Certificate of Service				
	54	Government's Proposed Jury Instructions; Certificate of Service				
2	55	<u>EP:</u> FURTHER JURY TRIAL - (6th Day) - Government's opening argument. Jeong Suk Kim's closing argument. Young Ho Kim's closing argument. Government's rebuttal. Jury instructed. Bailiff sworn. Alternate juror will be on call until notified by the clerk that she has been discharged. Jurors excused until 9/3/92 @ 9:00 a.m. Jeong Suk Kim's Renewed M/Judgment of Acquittal is set for arguments on 09/03/92 @ 9:00 a.m. Case continued until the above date. Florence Nakakuni, Jerry Ruthruff, Renee Yuen, Richard Perkins, Reverend Samuel Lee, Interpreter. (YI) <u>PONG</u>				
- see next page -			Interval (per Section II)	Start Date End Date	Ltr. Code	Total Days

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		(Document No.)		(a)	(b)	(c)	(d)
1992							
Sep 3	56	<u>EP:</u>	FURTHER JURY TRIAL - Jury returned to commence deliberation. Defendants not present. Presence waived. Hearing held without the jury regarding the following: 1. Young Ho Kim's Oral Motion for Mistrial - denied. 2. Defendants' Renewed Motions for Judgement of Acquittal - denied. Further jury deliberation continued to September 4, 1992 @ 9:00 a.m. Florence Nakakuni, Jerry Ruthruff & Renee Yuen present. (YI) <u>FONG</u>				
4	57	<u>EP:</u>	JURY DELIBERATION: The court convened to answer the Jury Question. Jury question and the court's response filed. Further deliberation contd. to Sept. 8, 1992 @ 9:00 a.m. Nakakuni, Ruthruff, Yuen & Perkins present. (YI) <u>EZRA</u>				
	58		Note from the Jury - 3:45 p.m.				
	59		Response to the Jury - <u>FONG</u>				
8	60	<u>EP:</u>	FURTHER JURY DELIBERATION - Jury returned for further deliberation.				
	61		"NOTE FROM THE JURY" filed. Hearing held without the jury regarding the note from the jury. Jury was summoned and the Court orally responded to the note. (2:25 - 3:00 p.m.) Jury returned with the verdicts (3:30 p.m.) "VERDICTS" as to both defendants read and filed. Jury found both defendants guilty to count 1 and not guilty to Count 2. Count 2 dismissed as to both defendants. Jury polled. Verdicts as to both defendants unanimous. Defendants referred for presentence investigation and report, and sentencing is set for December 7, 1992 @ 1:30 p.m. Bonds continued. Florence Nakakuni Jerry Ruthruff, Renee Yuen & Richard Perkins. (LG) <u>FONG</u>				
	62		VERDICT - Count 1: Guilty Count 2: Not Guilty				
	63		Court's Jury Instructions				
15	64		Stipulation For Extension of Time to File Written Motions <u>FONG</u>				
16	65		Judgment of Acquittal _ Count 2 <u>FONG</u>				
29	66		Notice of Motion; [10-26-92 @ 1:30 p.m. (Fong)]; Defendant Young Ho Kim's Motion to Dismiss Indictment To Arrest Judgment For Mistrial or New Trial and For Judgment of Acquittal Notwithstanding the Verdict and Joinder in Defendant Jeong Suk Kim's Motion for Judgment of Acquittal Notwithstanding the Verdict of For New Trial; Memorandum in Support of Motion; Certificate of Service - see next page -				

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End DateLtr. Total
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			(a)	(b)	(c)	(d)
<u>1992</u>		(Document No.)				
Oct 9	67	Index and Table of Citations For Government's Opposition to Defendant Young Ho Kim's Motion to Dismiss Indictment, To Arrest Judgment, For Mistrial or New Trial and For Judgment of Acquittal Notwithstanding the Verdict; Certificate of Service				
	21	68 Stipulation to Continue Hearing on Defendant Jeong Suk Kim's Motion for Judgment of Acquittal Notwithstanding The Verdict or For New Trial and Defendant Young Ho Kim's Motion to Dismiss Indictment, to Arrest Judgment, For Mistrial or New Trial and For Judgment of Acquittal Notwithstanding the Verdict <u>FONG</u>				
Nov 20	69	Defendant Young Ho Kim's Supplemental Memorandum in Support of Motion to Dismiss Indictment, To Arrest Judgment, For Mistrial or New Trial and for Judgment of Acquittal Notwithstanding The Verdict; Certificate of Service				
	27	70 Government's Response To Defendant Young Ho Kim's Supplemental Memorandum In Support Of Motion To Dismiss Indictment, To Arrest Judgment, For Mistrial Or New Trial, And For Judgment of Acquittal Nothwithstanding The Verdict; Exhibit 1; Certificate of Service				
	30	71 <u>EP:</u> Defendant Young Ho Kim's Motion to Dismiss Indictment, to Arrest Judgment, For Mistrial or New Trial and for Judgment of Acquittal Notwithstanding the Verdict or for a New Trial- Arguments held. Motion to Dismiss Indictment, to Arrest Judgment and for Judgment of Acquittal Notwithstanding the Verdict - denied. Motion for Mistrial or New Trial - Government has until December 4, 1992 to file its supplemental memorandum. Motion will be taken under advisement thereafter. Sentencing is continued until January 19, 1993 @ 2:00 p.m. Florence Nakakuni & Jerry A. Ruthruff (02) present. (SP) <u>FONG</u>				
Dec 3	72	Government's Further Memorandum In Opposition to Defendants' Post-Trial Motions; Exhibit 1; Certificate of Service				
<u>1993</u>						
Jan 15	73	ORDER DENYING Defendants' Motion To Dismiss Indictment, For Judgment Of Acquittal, For Mistrial, Or For New Trial <u>FONG</u> ccd: Yuen/Perkins, Ruthruff, Nakakuni, USPO				
	19	74 <u>EP:</u> SENTENCING To CT 1 - Nakakuni, Ruthruff. Alloc by deft. Adj - 1 yr impr, exec of sentence of impr is suspended & deft placed on prob for a term of 3 yrs upon the following spec conds: 1) That the deft pay a fine of \$20,000.00 payable within 90 days of the date of sentence; 2) That the deft complete 100 hours of comm svc as directed by the prob office -----contd - *See Next Page*				

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DATE		PROCEEDINGS (continued)	V. EXCLUDABLE DELAY			
		(Document No.)	(a)	(b)	(c)	(d)
1993		SENTENCING contd:				
Jan 19		Spec Mon Assess - \$50.00 payable forthwith. Adv of right to appeal the conviction & sentence, etc. (TC) <u>FONG</u>				
25 75		JUDGMENT In A Criminal Case <u>FONG</u>				
Feb 4 76		NOTICE OF APPEAL - On Behalf of Defendant [CA 93-10108]				
10 77		ORDER for Time Schedule - RT to be ordered by 2/25/93; RT to be filed by 3/29/93; Aplt's opening brief to be filed by 5/10/93; Aple's brief to be filed by 6/9/93; Reply brief (if any) to be filed by 6/23/93 - cc: Clerk, 9th CCA; cc: all counsel Notice of Appeal sent to Clerk, 9th CCA and all counsel				
Mar 5 78		Transcript Designation and Ordering Form - Stephen Platt: 08/25-28/92, 08/31/92, 09/01/92, 11/30/92 ✓ Yukie H. Ichikawa: 09/02-04/92 ✓ Lisa Groulx: 09/08/92 ✓ Terrence Chun: 01/19/93 ✓				
17		Transcript of Proceedings pp. 23 - 09-08-92 - Lisa Groulx Transcript of Proceedings pp. 13 - 09-08-92 - Lisa Groulx				
29		Transcript of Proceedings pp. 23 - 01-19-93 ✓ Terrence Chun				
30		Transcript of Proceedings pp. 111 - 09-02-92 ✓ - Yukie H. Ichikawa Transcript of Proceedings pp. 16 - 09-03-92 ✓ - Yukie H. Ichikawa Transcript of Proceedings pp. 13 - 09-04-92 ✓ - Yukie H. Ichikawa				
Apr 13 79		Defendant Young Ho Kim's Motion for Stay of Execution of Judgment in a Criminal Case filed on January 23, 1993; Declaration of Jerry A. Ruthruff; Certificate of Service				
16		Transcript of Proceedings pp. 231 - 08-25-92 ✓ - Stephen Platt Transcript of Proceedings pp. 237 - 08-26-92 ✓ - Stephen Platt Transcript of Proceedings pp. 224 - 08-27-92 ✓ - Stephen Platt Transcript of Proceedings pp. 124 - 08-28-92 ✓ - Stephen Platt Transcript of Proceedings pp. 64 - 08-31-92 ✓ - Stephen Platt Transcript of Proceedings pp. 147 - 09-01-92 ✓ - Stephen Platt Transcript of Proceedings pp. 78 - 11-30-92 ✓ - Stephen Platt				
30 80		ORDER Granting Defendant Young Ho Kim's Motion For Stay of Execution of Judgment in a Criminal Case Filed on January 23, 1993 <u>FONG</u>				
- see page 9 -						

Interval
(per Section II)Start Date
End DateLtr. Total
Code Days

UNITED STATES DISTRICT COURT
CRIMINAL DOCKET

KIM, YOUNG HO

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DATE		PROCEEDINGS (continued)	V. EXCLUDABLE DELAY			
		(Document No.)	(a)	(b)	(c)	(d)
<u>1993</u>						
Jun 22	81	Defendant Young Ho Kim's Ex Parte Motion to Shorten Time for Hearing on Defendant Young Ho Kim's Motion to Supplementl Record on Appeal; Affidavit of Jerry A. Ruthruff; Certificate of Service				
23	82	ORDER Granting Defendant Young Ho Kim's Ex Parte Motion to Shorten Time for Hearing on Defendant Young Ho Kim's Motion to Supplement Record on Appeal <u>FONG</u>				
	83	Notice of Motion [6-28-93 @ 2:30 pm, Judge Fong]; Defendant Young Ho Kim's MOTION to Supplement Record on Appeal; Memorandum in Support of Motion; Exhibits "A" and "B"; Certificate of Service				
24	84	<u>EO</u> : Hrng on Deft Young Ho Kim's M/Supplement Record on Appeal is contd from 6-28-93 to 7-2-93 @ 12 noon. Notified the following by phone: Jerry A. Ruthruff, Esq. thru his secy. & Florence Nakakuni, Esq. thru Steve. cc: the above attys & Judge Fong's chambers <u>FONG</u>				
28	85	Government's Response to Defendant Young Ho Kim's Motion to Supplement Record on Appeal; Certificate of Service				
Jul 9		Certificate of Record mailed to Clerk, 9CCA - cc: all counsel				
13	86	Stipulation to Supplement to Record on Appeal - <u>FONG</u>				
14	87	Defendants Submission of Documents Pursuant to Stipulation; Certificate of Service				
Aug 16	88	Stipulation for ORDER To Deposit Fine Amounts in Registry of the Court and Order - <u>FONG</u>				
Nov 19		Original Record Sent to 9CCA				
<u>1995</u>						
Jun 19	89	Release of Judgement				
Sept 18	90	JUDGMENT - 9CCA - CA93-10108, CA93-10110 - Judgment of the District Court, REVERSED and REMANDED. Filed & entered 8/23/95. Attest Date 9/18/95 ccd: all parties <u>EO</u> : Case re-assigned to Judge David Alan Ezra				
Oct 16	91	<u>EO</u> : Rescheduling Conference Pursuant to 9th CCA remand set for 10/23/95 @ 10:30 a.m. before Judge Kurren; cc: Florence Nakakuni, Jerry Ruthruff, Renee Yuen <u>KURREN</u>				
23	92	<u>EP</u> : Rescheduling Conference - Nakakuni, Ruthruff, Yuen. Defts' presence waived. Govt will be filing Order of Dismissal today (ESR) <u>KURREN</u>				
	93	ORDER For Dismissal <u>KURREN</u> Prosecution if declined at this time				

Interval
(per Section II)Start Date
End DateLtr. Total
Code Days